

MINUTES

UTAH STATE FIRE PREVENTION BOARD

JANUARY 13, 2004

BOARD MEMBERS PRESENT

Scott W. Adams
Philip A. Whitney
R. Lee Ellertson
Steven R. Hamblin
Randal C. Haslam
Barry W. Smith
Robert D. Fazzio
D. Blair Camp
Joel Frandsen
Tony J. Dearden

Board Chairman
Board Vice Chairman
Board Member
Board Member
Board Member
Board Member
Board Member
Board Member
Board Member
Board Member

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Verdi R. White
Gary A. Wise
Brent Halladay
Joan Reed
Kim Passey
Michael Jenson
Troy Mills
Deanne Mousley
Mark Burton
Mel Milgrom

DPS Deputy Commissioner
State Fire Marshal
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office
State Fire Marshal's Office

Board meeting began at 8:40 AM with Chairman Scott Adams conducting.

Item #1 on the agenda was Board meeting called to order and welcome to all by Chairman Scott Adams. Chairman Adams welcomed all the Board members and audience to the Board meeting.

Item #2 on the agenda was approval of the November 12, 2003 Board meeting minutes. Chairman Adams asked for any additions or corrections. Chief Phil Whitney made a motion for the minutes to be approved and Tony Dearden seconded it. All Board members voted in favor.

Item #3 on the agenda was presentation to the Board by Deputy Commissioner Verdi White, further explaining the fire services involvement in Homeland Security and Public Safety. Deputy Commissioner Verdi White had notified the Board that he was going to be a little late. Chairman Adams went ahead to the next item until Deputy Commissioner White arrived.

Item #4 on the agenda was presentation to the Board by State Fire Marshal Gary Wise on the 2004 Session of the Utah State Legislature to include proposed legislation and budget matters effecting the fire service. Fire Marshal Gary Wise stated that the Legislature would be starting next Monday, January 19, 2004. Fire Marshal Wise distributed copies of a summary of Law and Legislative Report to the Board members and stated that he had listed the proposed legislation and the sponsors since they had not received numbers yet. Gary also mentioned that they are going to be looked at and evaluated by the Joint Council to see what impact some of them will bring to the fire service. Fire Marshal Wise read over and explained the proposed changes and answered questions concerning them.

Now going back to Item #3, Chairman Adams welcomed Deputy Commissioner White to the Board meeting and thanked him for taking the time out to come and giving us an update regarding the Homeland Security and Public Safety. MIS Division Director Phil Bates was also in attendance with Commissioner White. Deputy Commissioner White asked Director Phil Bates to update the Board members on the 911 legislation, House Bill 36, and the new communications that DPS is putting in which both have an effect on the fire service. Director Bates reported on the two different subjects and answered questions. Deputy Commissioner White also reported that DPS is working on an updated facility for training and to provide opportunities for people in police, fire, and EMS where each of these groups can do some joint or individual training. The Commissioner also stated that they hoped by the next Board meeting in March, that a better plan would be put together and he could inform the Board members.

Item #5 on the agenda was presentation to the Board by State Fire Marshal Gary Wise on supervised listed electronically monitored portable fire extinguishers. State Fire Marshal Wise distributed pamphlets to each member of the Board on the electronically monitored extinguishers and spoke how technology is always continuing to change on how things are done. He explained how these fire extinguishers worked, and also had University of Utah Fire Marshal Mike Halligan speak to the Board members on how his electronically

monitored extinguishers had been working at the hospital and what he sees in the future. He reported that they have been working very well at the school, and so far none have been tampered with or have disappeared as had happened in the past. Following was a discussion among the Board members and audience. Fire Marshal Gary Wise stated that the presentation today was to make everyone aware of the technology and to answer questions. Gary also asked the Board to give direction to the staff to incorporate by rule an amendment to the 2003 edition of the fire code, that the electronic monitoring device shall be permitted in lieu of thirty day interval inspections when approved by the authority having jurisdiction. Gary also stated that by the next meeting in March, he hoped to receive the language in by rule for amending the code and adopt it, and then it will go into effect thirty days after the filing, etc. The rule would probably be adopted around the end of April or the first of May before it would go into effect. Board member Randy Haslam added that he would be in favor that this electronic extinguisher would still be inspected semi-annually or annually. Blair Camp made a motion that the 2003 edition of the fire code be amended by proposed rule so that the electronic monitoring device shall be permitted in lieu of the thirty day interval inspections when approved by the authority having jurisdiction. Randy Haslam seconded it and all Board members voted in favor.

Item #6 on the agenda was report to the Board by Brent Halladay on the newly adopted rules R710-2, R710-4, and R710-9. Chief Deputy Halladay distributed copies of these rules to each Board member and the audience and explained that these would replace the present ones in their Laws, Rules & Regulations book. Brent stated if someone did not receive a copy they could download them from the website. Brent also explained that these are newly adopted codes and he read over a few of the changes and answered questions.

Item #7 on the agenda was presentation to the Board by Brent Halladay and Mike Jenson of proposed amendments to R710-5, Automatic Fire Sprinkler System and Testing, and the education seminars to be offered. Chief Deputy Halladay distributed copies of rule R710-5 to each of the Board members and audience and also a copy of the Utah State Fire Marshal's Office (with DRAFT stamped on it), called a Certification Program Task Book. Chief Deputy Halladay stated that there had been major changes to the rules for those inspecting and testing Automatic Fire Sprinkler Systems that went into effect after the passage of House Bill 47 at the last legislature. At the last Board meeting, there were concerns brought forward by some of the Special Deputies, Deputy Fire Marshals and Risk Management about the fact that those in school districts and under Risk Management be allowed to make inspections and also qualify and certify under this program for state owned and school district property. The committee tried to negotiate between the industry's concerns and Risk Management and the Special Deputies concerns, and hoping a reasonable conclusion had been found. Brent read over and explained the proposed amendments to the rule. Brent also mentioned that Boyd Johnson, who is known at the Fire & Rescue Academy as the curriculum writer, has put together a very nice and comprehensive four day long course for those that will be in the business and they will be able to go through all of these courses. If they just wish to do wet systems then they can go

for two of the four days, and also Mr. Jeff Darr of Delta Fire Systems has taken the trailer from the academy and is upgrading it and others on the committee have expressed an interest from their suppliers that the trailer be totally upgraded and the trailer will be on hand for that course that Mr. Johnson will teach. Brent also stated that it is not required, but he would strongly suggest to all of the Special Deputies that if they want to get through the test, they probably ought to look at attending the course. There was an extensive discussion among the Board members and audience regarding the proposed changes to the rule. People from the audience offered their positive comments and some shared their concerns regarding this proposed rule change. Chairman Adams asked if there was any more public comment and there was none and so he went back to the Board for further discussion and action. Chief Blair Camp commented that he knew there had been a great deal of work in the committee meetings, and he felt the rule would be a reasonable compromise and he also thought the scope of this would be inspection and not installation. He agrees with Boyd Johnson that this will not be a perfect system but he does not feel the Board could wait for a perfect system as there would never be anything in place. He felt the Board should move forward with this and look for ways to improve it in the future but to go ahead now and put it in place. Chief Deputy Halladay stated that at first the Fire Marshal's Office tried to get the Division of Professional Licensing, (DOPL), to take the fire sprinkler licensing and certification and DOPL and their attorneys refused. They said that they were maxed out and could not do any more. This was a special certification and their lawyers deferred it to this Board to go ahead and do it and DOPL agreed. Randy Haslam made a motion that the Board adopt R710-5 as proposed at the meeting today, in the realization that in the future the Board can make changes as needed. Tony Dearden seconded it and all Board members voted in favor. Chairman Adams thanked the committee members for all the time that had been spent on producing this rule.

Item #8 on the agenda was Old Business. There was no old business at this time.

Item #9 on the agenda was New Business. Chief Deputy Halladay stated that with regard to rules R710-4 and R710-9, he had missed a couple of items that need to be corrected, so he read over these proposed changes and updated the Board members. This information would not need a motion by the Board as it is for correction only and not an agenda item. If the Board wished to delay this item until the meeting in March, Chief Deputy Halladay asked for direction by the Board to file an Emergency 120 Day Rule Change amendment, as he felt it was a critical matter. Brent stated that his missing this will cause anguish and grief to the new code as it is put into effect. Randy Haslam made a motion for Brent to file a temporary emergency rule amendment and Blair Camp seconded it and all Board members voted in favor.

Item #10 on the agenda was next Board meeting. The next meeting will be held on March 9, 2004, at 8:30 AM at the South Salt Lake City Council Chambers, Randy Haslam made a motion to adjourn, and Blair Camp seconded it, and all Board members voted in favor and the meeting was adjourned.

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